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EXAMINER

CULBRETH, ERIC D

ART UNIT PAPER NUMBER

3616

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/624,976

Applicant(s)

KESHAVARAJ, RAMESH

Examiner

Eric D Culbreth

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/11/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because of the following informalities. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

a. On page 14, lines 3 and 7, reference numeral 10 refers to both a fabric and a web; these should be consistent.

b. Page 16, lines 7-9 are not accurate to the drawings (line 142 is not illustrated as off center).

c. On page 16, lines 11-12 reference numeral 152 refers to both fabric portions and seams; a reference numeral should only refer to one part of the invention (apparently, the second occurrence of 152 should be 154).

d. Reference numeral 246 (page 18, line 9) is not on the drawings.

e. Reference numeral 250 in Figure 25 is not in the specification.

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f. Reference numeral 250 in Figure 25 apparently points to inflation means, but in Figure 26 reference numeral 268 is the inflation means; a part of the invention should be referred to with only one reference numeral.

### *Specification*

2. The abstract of the disclosure is objected to because "construction" in line 6 is misspelled. Correction is required. See MPEP § 608.01(b).
3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
4. The disclosure is objected to because of the following informalities.  
Appropriate correction is required.
  - a. On page 2, line 2 "patent" should apparently be "patents".
  - b. On page 2, line 4 "ofthese" should be "of these".
  - c. On page 2, line 7 "filing" should be "filling".

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d. On page 5, line 3 from the bottom and page 6, line 2 from the bottom "infation" should be "inflation". Note also page 7, line 11 and page 8, line 10.

e. On page 6, line 4 "a" should precede "greater amount".

f. On the last line of page 6 "lke" should be "like".

g. On page 7, line 3 "of" should follow "plurality".

h. Page 9, lines 13-15 are an incomplete sentence ("In the" should be "The").

i. Page 10, line 1 is unclear ("which the at least the"?).

j. On page 10, line 4 "for the invention" should apparently be "of the invention".

k. On page 15, line 13 "through inflation means" should be "by inflation means".

Note also page 17, line 6 and page 18, line 14.

### *Claim Rejections - 35 USC § 112*

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. In claim 1, it is not clear from the disclosure what the addition edge is. Nor is it clear what the cutout adjacent the line of symmetry is, what the oblong opening is, or how the cutout forms a second opening opposite the oblong opening.

B. In claim 3, it is not clear what the second blank forming the oblong closure portion is. The same applies to claim 8.

C. In claim 5, it is not clear what the four additional edges are, nor what the cutout adjacent the line of symmetry is. Nor is it clear how the four additional edges define three sides of a perimeter of the oblong opening. It is not clear what the oblong opening is or how the cutout forms a second opening opposite the oblong opening.

D. In claim 10, there is no clear antecedent basis for "the non-joined boundary edges". Also in claim 10, it is not clear what part of the invention as disclosed is the front fabric panel. And in claim 10, "short" is indefinite (i.e. short compared to what).

E. In claim 11, it is not clear how the body fabric panel is formed by two mirror image body panel sections from the disclosure.

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F. Regarding claim 13, it is not clear what smaller portions of the body fabric panel are folded over and connected to themselves as well as to the smaller fabric panels. Also in claim 13, there is not antecedent basis for "the smaller fabric panels". "Smaller" is indefinite (smaller compared to what).

*Allowable Subject Matter*

7. Claims 1, 5 and 10 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

8. Claims 2-4, 6-9 and 11-14 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric D Culbreth whose telephone number is 703/308-0360. The examiner can normally be reached on Monday-Thursday, 9:30-7:00 alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 703-308-2089. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eric D Culbreth  
Primary Examiner  
Art Unit 3616



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